

**FILED**

DEC 30 2015

CLERK, U.S. BANKRUPTCY COURT,  
SOUTHERN DISTRICT, ILLINOIS

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALVION PROPERTIES, INC

Chapter 11

Debtor

CASE NO. 15-40462

IN PRO PER

RESPONSE TO TERMINATION OF LEASE

The lease between Alvion Properties and Case Coal was not terminated by George Howard, President of Alvion Properties. The minimum royalty was suspended in May of 2009 by mutual agreement between George Howard and Kip Anderson, Manager of Case Coal, LLC. This is evidenced by the fact that Case Coal never received a Notice of Default from Alvion Properties. Also it should be noted that George Howard in a Memorandum of Understanding stating that "George E. Howard shall retain (in accordance with the agreement between the parties obtained in prior negotiations) all revenue generated during the time this memorandum is in effect." Furthermore it should be noted that George Howard's attorney, R. Lee McVey II, issued a letter that Case Coal "refrain from making payment to Howard, Reynolds, the Medleys or Farmer's State Bank."

BY: Kip Anderson  
Kip Anderson

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